

October 22, 2013

A regular meeting of the Council of the Town of Bedford, Virginia, was held in the Council Hall of the Municipal Building at 7:00 p.m., October 22, 2013.

Members present: Mayor Robert T Wandrei; Councilman Robert D. Carson; Councilman Stacey L. Hailey; Councilman Steve C. Rush; Councilman C. G. Stanley, Jr.; Councilman W. D. Tharp; and Vice Mayor James A. Vest

Members absent: None

Staff present: Town Manager Charles P. Kolakowski; Town Attorney W. W. Berry, IV; and Clerk of the Council Teresa W. Hatcher

Mayor Wandrei opened the meeting and led all present in saying the Pledge of Allegiance to the Flag.

Mayor Wandrei declared that the minutes of a regular Council meeting held on October 8, 2013, were approved as distributed.

Town Manager Kolakowski said the agenda included items as follows: road closings for some seasonal activities, some budgetary adjustments from prior years, and a matter in closed session for consultation with legal counsel.

Vice Mayor Vest said he met with a group of mostly town citizens concerning the school system. The Vice Mayor said the group wanted to know what action the Town would have to take to change the reversion contract with Bedford County to state "new high school" rather than "new middle school." Vice Mayor Vest said he asked Town Attorney Berry to look into this. The Vice Mayor read a report from Mr. Berry that said the County intends to construct a new middle school facility within the Liberty High School attendance zone.

Mr. Berry said the County School Board is in charge of making decisions about education and the Board of Supervisors is in charge of funding the schools that are needed for the community. Mr. Berry said according to the Voluntary Settlement Agreement the Town will provide the middle school to the County to lease for six years, which gives the County School Board and the Board of Supervisors six years to come up with the schooling that is appropriate for the Town and the Center District. Mr. Berry said that Town Council does not need to take any action.

Vice Mayor Vest reviewed information he had given members of Council about the voters in Districts 6 and 7: 25% of all the voters in District 6 are in the Town and 33% of all the voters in District 7 are in the Town.

The Mayor added the following item to the agenda as the last item under New Business: Closed Session pursuant to Section 2.2-3711(a)(7), of the Code of Virginia of 1950, as amended, for consultation with legal counsel concerning possible litigation.

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The Town Manager reviewed the first item on the Consent Agenda:

Bedford Main Street, Inc. is sponsoring the 2013 Bedford Christmas Parade on Saturday, December 7, 2013, at 4:00 p.m., (rain/snow date Sunday, December 8<sup>th</sup> at 4:00 p.m.) and is requesting that Council authorize the closing of the following streets for the holiday event:

From 12:30 p.m. to 6:00 p.m., Bedford Avenue Extension from 4<sup>th</sup> Street to the curve of the Recreation Field, Ashland Avenue from the curve of the Recreation Field to the Elks Home Driveway, College Street from Ashland Avenue to Peaks Street, and Mountain Avenue in its entirety.

From approximately 4:00 p.m. to 6:00 p.m., Peaks Street from College Street to North Bridge Street, North Bridge Street from Peaks Street to East Main Street, East Main Street from North Bridge Street to South Street, South Street from East Main Street to Washington Street, Washington Street from South Street to Center Street, Center Street in its entirety, West Main Street from Center Street to 4<sup>th</sup> Street, 4<sup>th</sup> Street from West Main Street to Macon Street, Macon Street from 4<sup>th</sup> Street to Summit Street, and Summit Street from Macon Street to the first entrance to the Winn Dixie Parking Lot.

On motion by Vice Mayor Vest, seconded by Councilman Hailey, voted upon and carried unanimously, Council approved the Consent Agenda item to close streets for the Christmas Parade.

Town Manager Kolakowski reviewed the second item on the Consent Agenda:

The Bedford Area Family YMCA is requesting permission to hold the 34<sup>th</sup> YMCA's Annual Peaks Otter Christmas Classic foot race on Saturday, December 7, 2013, and to block the following streets from 8:00 a.m. to 11:00 a.m.:

Peaks Street, Whitfield Drive, Oakwood Street, Longwood Avenue, Hampton Ridge Avenue and Elm Street

On motion by Councilman Rush, seconded by Councilman Stanley, voted upon and carried unanimously, Council approved the Consent Agenda item to block streets for the YMCA's Annual Peaks Otter Christmas Classic.

The Town Manager stated that at the end of Fiscal Year 2013, the City had numerous projects which were not completed or encumbered by a purchase order. The funds for these projects are needed in order to complete the various projects. After review of the requests for rollover of funds, the Town Manager has recommended that the provided list of projects be approved for rollover from Fiscal Year 2013 and reappropriated to Fiscal Year 2014. A detailed listing of the amounts requested by account number has been given to Council members. Town Council is requested to approve the rollover and reappropriation of funds per the provided list.

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On motion by Councilman Tharp, seconded by Councilman Rush, voted upon and carried by a roll call vote, Council approved the rollover and reappropriation of funds per the provided list. Roll call vote follows:

Councilman Carson	aye
Councilman Hailey	aye
Councilman Rush	aye
Councilman Stanley	aye
Councilman Tharp	aye
Vice Mayor Vest	aye
Mayor Wandrei	aye

**ROLLOVER REQUEST FOR FISCAL YEAR 2013**  
**Sorted by Justification**

<b>ENDOWMENT FUNDS</b>			<b>RESPONSIBLE</b>
<b>ACCOUNT NUMBER</b>	<b>ACCOUNT NAME</b>	<b>REQUEST</b>	<b>DEPARTMENT</b>
50088150 581933	Economic Development Fund	184,542.75	Comm. Development
50088150 582919	Enterprise Zone Maintenance	21,434.97	Comm. Development
		<b>205,977.72</b>	

  

<b>GRANT FUNDED ACTIVITIES</b>			<b>RESPONSIBLE</b>
<b>ACCOUNT NUMBER</b>	<b>ACCOUNT NAME</b>	<b>REQUEST</b>	<b>DEPARTMENT</b>
10033110 557251	Regional Crash Team Grant 2012	3,818.36	Police
10033110 557255	Regional Crash Team Grant 2013	17,107.84	Police
10033110 557256	DMV Grant 2013	16,394.01	Police
50033110 581303	Radios-Police	25,000.00	Police
50033210 581303	Radios-Fire	32,000.00	Fire
10088170 558401	Litter Prevention and Recycling Grant	1,881.44	Public Works
50088150 581948	Centertown Improvement Project	591,150.00	Public Works
		<b>687,351.65</b>	

  

<b>UNBILLED ACTIVITIES AS OF 6/30/13</b>			<b>RESPONSIBLE</b>
<b>ACCOUNT NUMBER</b>	<b>ACCOUNT NAME</b>	<b>REQUEST</b>	<b>DEPARTMENT</b>
10033110 560103	Asset Forfeiture	6,522.18	Police
10077111 539005	Athletic Services	1,120.10	Recreation
10077111 558413	Athletic Materials & Supplies	446.74	Recreation
			Comm.
50044115 582916	GPS Utilities	12,657.00	Development
50044340 582930	ADA Improvements	17,330.92	Public Works
		<b>38,076.94</b>	

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VDOT FUNDED ACTIVITIES			RESPONSIBLE
ACCOUNT			
NUMBER	ACCOUNT NAME	REQUEST	DEPARTMENT
10044115 560172	Materials & Supplies/Sidewalks	105,240.12	Public Works
10044120 533118	Guard Rail Replace/Maintenance	13,707.60	Public Works
10044120 560173	Materials & Supplies/Streets	26,632.19	Public Works
10044120 560175	Materials & Supplies/Sign Shop	6,755.75	Public Works
10044120 560178	Blacktop	13,566.59	Public Works
10044120 560179	Milling of Streets	659.18	Public Works
10044131 560170	Materials & Supplies/Storm Drainage	1,406.73	Public Works
10044131 560195	Storm Drainage Projects	17,617.67	Public Works
50044115 582934	Crosswalk Improvements	163,140.45	Public Works
		<b>348,726.28</b>	

INCOMPLETE WORK AS OF 6/30/13			RESPONSIBLE
ACCOUNT			
NUMBER	ACCOUNT NAME	REQUEST	DEPARTMENT
50011261 582915	Cooling Fans - Server Room	3,000.00	Public Works
50044320 581976	Bank Stabilization - Liberty Lake Park	15,000.00	Public Works
50077111 581909	Paving	8,000.00	Public Works
50077111 581971	Repair Nature Trail - Liberty Lake Park	2,000.00	Public Works
59981920 581441	Turbine Packing Box - Unit 4	21,706.00	Electric
		<b>49,706.00</b>	

**TOTAL OF ALL REQUESTED ROLLOVER FUNDS     1,329,838.59**

Town Manager Kolakowski said that Virginia Code § 15.2-2507 provides that any locality may amend its budget to adjust the aggregate amount to be appropriated during the fiscal year as shown in the currently adopted budget; provided, however, any such amendment which exceeds one percent of the total expenditures shown in the currently adopted budget must be accomplished by first publishing a notice of a meeting and holding a public hearing before amending the budget. The Code section applies to all locality funds, i.e., General Fund, Solid Waste Fund, Electric Fund, etc.

The Town Manager stated the Virginia Department of Environmental Quality (DEQ) provides funds for litter prevention and recycling grants to localities under a non-competitive grant program based on population and road miles. These grants are awarded annually to localities for local litter prevention and recycling program implementation, continuation, and/or expansion. For FY 2013 and FY 2014 the award provided by DEQ exceeded the appropriated amount for the Litter Prevention and Recycling Program Grant which funds the Keep Bedford Beautiful Program. The appropriation and the DEQ award are shown below for each fiscal year.

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<b>Fiscal Year</b>	<b>Appropriation</b>	<b>DEQ Award</b>
<b>2013</b>	<b>\$6,300</b>	<b>\$7,216</b>
<b>2014</b>	<b>\$1,000</b>	<b>\$3,200</b>

Town Manager Kolakowski said Council was requested to approve a budget amendment to increase the FY 2014 appropriated budget for the Keep Bedford Beautiful Program (10-10088170-558401) from \$1,000 to \$3,200. In addition, Town Council was requested to Roll-over \$1,881.44 for the FY 2013 un-appropriated and unspent DEQ Award. (This request has also been added for consideration to the Roll-over Requests for FY 2013.)

On motion by Councilman Rush, seconded by Councilman Stanley, voted upon and carried unanimously by a roll call vote, Council approved the budget amendment. Roll call vote follows:

Councilman Hailey	aye
Councilman Rush	aye
Councilman Stanley	aye
Councilman Tharp	aye
Vice Mayor Vest	aye
Councilman Carson	aye
Mayor Wandrei	aye

Councilman Tharp moved that Council adjourn into closed session pursuant to Section 2.2-3711(a)(7), of the Code of Virginia of 1950, as amended, for consultation with legal counsel concerning possible litigation. Councilman Hailey seconded the motion. The motion was voted upon and carried by the following roll call vote:

Councilman Rush	aye
Councilman Stanley	aye
Councilman Tharp	aye
Vice Mayor Vest	aye
Councilman Carson	aye
Councilman Hailey	aye
Mayor Wandrei	aye

Council adjourned into closed session at 7:10 p.m. The following non-council members attended: Town Manager Kolakowski, Town, Attorney W. W. Berry, IV, and Assistant Town Manager, Barrett Warner

Council reconvened into open session at 7:20 p.m.

The Clerk of Council read aloud the following resolution:

**BE IT RESOLVED** that the Council of the Town of Bedford hereby certifies that (1) only public business matters lawfully exempted from

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open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (2) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Council.

On motion by Councilman Tharp, seconded by Councilman Hailey, voted upon and carried by a roll call vote, Council adopted the resolution. Roll call vote follows:

Councilman Stanley	aye
Councilman Tharp	aye
Vice Mayor Vest	aye
Councilman Carson	aye
Councilman Hailey	aye
Councilman Rush	aye
Mayor Wandrei	aye

Mayor Wandrei adjourned the meeting at 7:21 p.m.